

§ 21.39 Flight test instrument calibration and correction report.

(a) Each applicant for a normal, utility, acrobatic, commuter, or transport category aircraft type certificate must submit a report to the FAA showing the computations and tests required in connection with the calibration of instruments used for test purposes and in the correction of test results to standard atmospheric conditions.

(b) Each applicant must allow the FAA to conduct any flight tests that he finds necessary to check the accuracy of the report submitted under paragraph (a) of this section.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21-59, 52 FR 1835, Jan. 15, 1987]

§ 21.41 Type certificate.

Each type certificate is considered to include the type design, the operating limitations, the certificate data sheet, the applicable regulations of this subchapter with which the FAA records compliance, and any other conditions or limitations prescribed for the product in this subchapter.

§ 21.43 Location of manufacturing facilities.

Except as provided in § 21.29, the FAA does not issue a type certificate if the manufacturing facilities for the product are located outside of the United States, unless the FAA finds that the location of the manufacturer's facilities places no undue burden on the FAA in administering applicable airworthiness requirements.

§ 21.45 Privileges.

The holder or licensee of a type certificate for a product may—

(a) In the case of aircraft, upon compliance with §§ 21.173 through 21.189, obtain airworthiness certificates;

(b) In the case of aircraft engines or propellers, obtain approval for installation on certificated aircraft;

(c) In the case of any product, upon compliance with subpart G of this part, obtain a production certificate for the type certificated product;

(d) Obtain approval of replacement parts for that product.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21-92, 74 FR 53386, Oct. 16, 2009]

§ 21.47 Transferability.

(a) A holder of a type certificate may transfer it or make it available to other persons by licensing agreements.

(b) For a type certificate transfer in which the State of Design will remain the same, each transferor must, before such a transfer, notify in writing the appropriate aircraft certification office. This notification must include the applicable type certificate number, the name and address of the transferee, and the anticipated date of the transfer.

(c) For a type certificate transfer in which the State of Design is changing, a type certificate may only be transferred to or from a person subject to the authority of another State of Design if the United States has an agreement with that State of Design for the acceptance of the affected product for export and import. Each transferor must notify the appropriate aircraft certification office before such a transfer in a form and manner acceptable to the FAA. This notification must include the applicable type certificate number; the name, address, and country of residence of the transferee; and the anticipated date of the transfer.

(d) Before executing or terminating a licensing agreement that makes a type certificate available to another person, the type certificate holder must notify in writing the appropriate aircraft certification office. This notification must include the type certificate number addressed by the licensing agreement, the name and address of the licensee, the extent of authority granted the licensee, and the anticipated date of the agreement.

[Doc. No. FAA-2006-25877, Amdt. 21-92, 74 FR 53386, Oct. 16, 2009]

§ 21.49 Availability.

The holder of a type certificate must make the certificate available for examination upon the request of the FAA

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or the National Transportation Safety Board.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Docket No. 8084, 32 FR 5769, Apr. 11, 1967]

§21.50 Instructions for continued airworthiness and manufacturer's maintenance manuals having airworthiness limitations sections.

(a) The holder of a type certificate for a rotorcraft for which a Rotorcraft Maintenance Manual containing an "Airworthiness Limitations" section has been issued under §27.1529 (a)(2) or §29.1529 (a)(2) of this chapter, and who obtains approval of changes to any replacement time, inspection interval, or related procedure in that section of the manual, must make those changes available upon request to any operator of the same type of rotorcraft.

(b) The holder of a design approval, including either the type certificate or supplemental type certificate for an aircraft, aircraft engine, or propeller for which application was made after January 28, 1981, must furnish at least one set of complete Instructions for Continued Airworthiness to the owner of each type aircraft, aircraft engine, or propeller upon its delivery, or upon issuance of the first standard airworthiness certificate for the affected aircraft, whichever occurs later. The Instructions must be prepared in accordance with §§23.1529, 25.1529, 25.1729, 27.1529, 29.1529, 31.82, 33.4, 35.4, or part 26 of this subchapter, or as specified in the applicable airworthiness criteria for special classes of aircraft defined in §21.17(b), as applicable. If the holder of a design approval chooses to designate parts as commercial, it must include in the Instructions for Continued Airworthiness a list of commercial parts submitted in accordance with the provisions of paragraph (c) of this section. Thereafter, the holder of a design approval must make those instructions available to any other person required by this chapter to comply with any of the terms of those instructions. In addition, changes to the Instructions for Continued Airworthiness shall be made available to any person required by this chapter to comply with any of those instructions.

(c) To designate commercial parts, the holder of a design approval, in a manner acceptable to the FAA, must submit:

(1) A Commercial Parts List;

(2) Data for each part on the List showing that:

(i) The failure of the commercial part, as installed in the product, would not degrade the level of safety of the product; and

(ii) The part is produced only under the commercial part manufacturer's specification and marked only with the commercial part manufacturer's markings; and

(3) Any other data necessary for the FAA to approve the List.

[Amdt. 21–23, 33 FR 14105, Sept. 18, 1968, as amended by Amdt. 21–51, 45 FR 60170, Sept. 11, 1980; Amdt. 21–60, 52 FR 8042, Mar. 13, 1987; Amdt. 21–90, 72 FR 63404, Nov. 8, 2007; Amdt. 21–92, 74 FR 53386, Oct. 16, 2009]

§21.51 Duration.

A type certificate is effective until surrendered, suspended, revoked, or a termination date is otherwise established by the FAA.

§21.53 Statement of conformity.

(a) Each applicant must provide, in a form and manner acceptable to the FAA, a statement that each aircraft engine or propeller presented for type certification conforms to its type design.

(b) Each applicant must submit a statement of conformity to the FAA for each aircraft or part thereof presented to the FAA for tests. This statement of conformity must include a statement that the applicant has complied with §21.33(a) (unless otherwise authorized under that paragraph).

[Amdt. 21–17, 32 FR 14926, Oct. 28, 1967, as amended by Amdt. 21–92, 74 FR 53386, Oct. 16, 2009]

§21.55 Responsibility of type certificate holders to provide written licensing agreements.

A type certificate holder who allows a person to use the type certificate to manufacture a new aircraft, aircraft engine, or propeller must provide that